/213 cont./

682 to Inzá by two members of the cabildo of San Andrés, friends and
623 relatives, as well as members of his own family, slipped him a
182 few coins so that he would be able to buy himself food in prison. His guards did not prevent anyone from doing this, and in general the feeling for the murderer was commiserating, but not unfavorable.

623 The punishments inflicted in Calderas by the cabildo are al-
692 ways floggings. In earlier times they were very rigorously carried
[681] out. There is no imprisonment. Today the cabildo judges only
[697] social misdeeds, debtors, and the theft of field crops, a chicken, or a sheep. Horse and cattle theft goes to the court in Inzá for punishment. The injured one himself may not punish the malefactor -- not even if caught red-handed - but must report everything
[693] to the cabildo. There the capitan and gobernador are the judges.
[624] The other members of the cabildo must likewise be present, but they have no vote. The sentence is very quickly passed. The malefactor is locked into one of the two rooms of the community
623 house, and the trial takes place on the next day at the latest. The
685 punishments are fixed. They consist of lashes with the whip, which
692 are increased for repetition. Thus, the thief receives ten lashes the first time, 20 the second time, and 30 lashes the third time; in case of further lapses he is shackled in the tree trunk. The theft of a sheep is punished with ten lashes and the replacement or giving up of the stolen object. If the accused protests, a house search is carried out with a member of the cabildo. If nothing is found, he must be set free again.

426 Loans up to ten pesos are given without security; beyond that the creditor is given a cow, a horse, a pig, wheat, or sugar cane as security. Loans are given only up to a year, so that the matter is not forgotten. Interest is not charged. If the debtor is unable to pay, a definite term is /214/ set for him; if he does not pay then, the lapse is reported to the cabildo, which punishes the offender with the whip. Denial is useless, for every loan transaction is concluded only before witnesses. If the debtor dies, the claims of the creditor are taken from his estate, for example, a machete, coca bag, or clothing. One may also ask relatives, for example brothers, to settle the debt. They are not obliged to repay it,

/214 cont./

426 however, so that in the case of a deceased poor debtor, the creditor has usually lost his money. Prescription does not occur.
685 A debt forgotten by the debtor may be collected by the creditor
695 years later, if there are witnesses. The situation is similar for
426 the theft of field crops: If there is no witness, no one can be found guilty. If, however, the witness is known as honorable and not deceitful, the accused is judged guilty, even without a con-
692 fession. There is no statement of confirmation corresponding to
695 the oath; similarly, no one condemned for wrongdoing has the
623 right to go to Inzá to the judge. For all misdeeds punished by the
209 [782] cabildo, the capitan and gobernador are the first and last authority; they do not act arbitrarily, however, but rely largely on custom
[686] and the opinion of the village. This is especially true if someone refuses several times in succession to take part in public works, but it also comes out -- unfavorably -- if a poor man tries to
623 become wealthy on his own. For example, disputes not infrequently
692 break out among the Paez on account of damage to cultivated
685 fields when the domestic animals of one person have broken into
578 the fields of a neighbor. Now the fences around each field must always be in good condition and put up in accordance with the term of use of the field. A fence for a maize field, which requires barely a year to mature, may be more lightly built than a fence around a sugar-cane field, which requires three years to mature. Then when strange animals break into fields with good fencing, the owner may kill them or at least wound them, for example, by
[231] cutting off a cow's tail. The owners of pigs fasten a triangular-shaped frame around the necks of their pigs to prevent them from breaking into fenced fields. If the fence is in poor condition, however, and has not been newly erected especially for the planted field, the owner of the animals breaking into the field is not to blame and the owner of the field may not kill them. Of course, the soundness of a fence is to a great extent a matter of opinion, and it happens not infrequently that the disputants go after each
696 other with machetes and wound each other considerably. The
685 /215/ guilty party is then, after an inspection of the fence, punished
417
681

/215 cont./

696 according to the decision of the cabildo. First of all, the animal
685 or the crop destroyed must be replaced, and then the offender is
417 put in the "tree trunk." This is a form of punishment that was
681 formerly used very frequently in other Paez communities, too.
[824] Actually it consists of two tree trunks, into each of which two notches are chopped on opposing sides. The condemned person is put in, with his feet up to the ankles in these rather narrow notches, and then the tree trunks are tightly bound together with
[623] lianas. All the members of the cabildo take part in this work. Then the bound tree trunks are fastened to the ceiling of the council house, so that the condemned man hangs head downward and the trunks cut into his flesh very considerably. There were no other types of punishment. The degree was determined by the number of hours of hanging, which extended from one to, allegedly, 24 hours.

556 Injustices on the part of envious fellow-citizens toward a
626 man striving for wealth manifest themselves by their driving their animals into the man's well-fenced fields. This is done until the person in question no longer feels any inclination to excel over others
[623] through diligence and property. Little is accomplished by com-
[692] plaining to the cabildo, since the gobernador cannot make a de-
[208] cision that runs counter to the opinion of the entire village, and a weak spot in the fence can always be demonstrated somewhere.

692 Other and not infrequent occasions on which the cabildo must
623 act as judge are complaints concerning adultery and support (see
68 above). There are no complaints about verbal insults, just as there is no punishment for this. They are countered by matching expressions. Similarly, unintentional bodily injury, for example, by a machete during joint work or a case of death during tree-cutting, is not punishable. Only if a person shoots his neighbor's eye out with an elastic sling during bird hunting would he be punished, "but not very severely."

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list presented by a council composed of former governors, the captain, and the síndico. The meeting may object to the list, but generally accepts it. On the following January 1, the cabildo-elect must appear at the office of the municipal mayor to receive the staffs, their insignia of office, and to assume their duties and responsibilities. The offices are: Governor and alternate, commissioner, two mayors (alcaldes), two constables (alguaciles), and three prosecutors (fiscales), one of whom is a young man assigned to learn the ways of government. The mayors, constables, and prosecutors are something like bosses or policemen, and execute orders issued by the Governor or by the captain or the municipal authorities to a community through the Governor.

Property.—The Indians today do not own any real property in the usual sense. The land assigned to an entire community is allotted to each adult for his use when he becomes a macanero, that is, capable of giving one day's work each year for the collective planting for the benefit of the saint and as many days as may be required by the cabildo for the repair of roads, bridges, etc., or for work in the village. The right to the use of the land may pass to the heirs, wife and children, in the absence of which it reverts to the community or the cabildo.

The house was formerly typical personal or movable property, which could be easily abandoned, dismantled, or destroyed. The same holds today for fragile cane dwellings. There are few houses so solidly built that they constitute real or immovable property. Other personal property, such as utensils, clothes, weapons, adornments, and jewels, was formerly buried with the owner. These things and livestock, planted fields, and crops are now inherited by the members of the deceased's family. In general, Colombian law is being implanted by the judges and municipal mayors, although the cabildo judges some minor offenses and punishes the offenders by whipping, imprisonment, or stocks (cepo), a form of torment retained from Colonial times.

Although the Indians' communities have in most cases titles of limits of their lands dating from Colonial times, there are still litigations on boundaries. An interesting case is the struggle of the Indians to dislodge a settlement of Negroes from the old salt works in Ambostá, where they were abandoned many years ago by a rich Popayán family who took them there to work the mines. The female Indian chief (cacica) of this territory allowed the Negroes to live on a hill, called "the hill of the fifteen Negroes." The Negroes are not organized under a cabildo, but have a chief who represents them. They all contribute to a special religious feast in the municipio, and provide means to continue the suit for the possession of the hill against the Indians.